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OFFICE OF PETITIONS

In re Application of
Whitehead, et al.
Application No. 09/431,737
Filed: November 1, 1999
Attorney Docket No. 41PR-7349
For: MAN MACHINE INTERFACE FOR
POWER MANAGEMENT CONTROL SYSTEM

ON PETITION

This is a decision on the reconsideration petition entitled, "PETITION UNDER 37 CFR 1.47(a) IN LIEU OF INVENTOR'S SIGNATURE," filed March 24, 2004 (certificate of mailing date March 22, 2004). The petition will be treated as a petition under 37 CFR 1.183 seeking waiver of 37 CFR §§ 1.67 and 1.63 where they require that a supplemental declaration be executed by all named inventors.

Petitioners have submitted an executed supplemental declaration which sets forth the names of all the joint inventors and which also includes the citizenship, residence and post office/mailing address of each inventor.

Petitioners have shown that the non-signing inventor, Surampudi Subbalakshmi, has refused to join in the filing of the above-identified application after having been presented with the application papers. Specifically, the declaration of Attorney David Arnold establishes that the inventor has constructively refused to sign the declaration.

Therefore, the petition is **granted**. A review of financial records indicates that petitioners have paid two \$130.00 petition fees. Only one is required. Deposit account no. 06-1130 will be credited one of these fees (\$130.00).

The application file will be returned to Publications Division.

Telephone inquiries related to this decision should be directed to the undersigned at (703) 308-6712.

E. Shirene Willis
Senior Petitions Attorney
Office of Petitions